

REMARKS

Favorable reconsideration of this Application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing Amendment, Claims 2-4, 9-13 and 17 are pending in the present Application. Claim 9 is amended to address a cosmetic matter of form. Claims 1, 5-8, 14-16, and 18-28 have been cancelled without prejudice or disclaimer. Applicants reserve the right to file one or more continuation and/or divisional applications to pursue the subject matter of these claims. This amendment is submitted in accordance with 37 C.F.R. §1.116 which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment cancels rejected claims, leaving only allowable subject matter. This amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. §1.116. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 5-7, 14, 18, 20 and 24-28 stand rejected under 35 U.S.C. § 103 as being unpatentable over Espax et al. (U.S. Patent No. 6,373,433, hereinafter “Espax”); and Claims 2-4, 9-13 and 17 stand allowed.

Applicants appreciatively acknowledge the indication of allowable subject matter as recited in Claims 2-4, 9-13 and 17.

As Applicants have cancelled Claims 1, 5-8, 14-16, and 18-28, the outstanding rejection pertaining to these claims has been rendered moot. As the only remaining claims stand allowed, Applicants respectfully submit that the application is now in condition for allowance.

CONCLUSION

If the Examiner believes any additional formal matters need to be addressed in order to place this application in condition for allowance, the Examiner is respectfully requested to contact the undersigned by telephone at the Examiner's convenience.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 2-4, 9-13 and 17, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

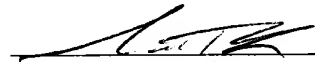
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073
Scott A. McKeown
Registration No. 42,866

BDL:SAM\cmc

I:\ATTY\SAM\PROSECUTION WORK\282452\282452US AMENDMENT DUE_020108.DOC